



As this portion of the Examiner's request is really an election of species, and not a restriction, the Examiner is reminded of M.P.E.P. § 809.02(c) (B) (1) which prescribes that when a generic claim is found to be allowable . . . all claims to each of the additional species that are embraced by an allowable claim . . . that claims drawn to the non-elected species are no longer withdrawn since they are fully embraced by the allowed generic claim.

As a result, once review of the above elected species is found to be clear of the prior art, examination of the remaining species and full claim is proper.

While no fee is believed warranted for consideration of this response, the Commissioner is nonetheless authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 07-0630.

The Examiner is invited to contact the undersigned at (650) 225-1489 in order to expedite the resolution of any issues.

Respectfully submitted,  
GENENTECH, INC

Date: October 11, 2002

By: Craig G. Svoboda  
Craig G. Svoboda  
Reg. No. 39,044



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PATENT TRADEMARK OFFICE

1 DNA Way, MS 49  
South San Francisco, CA 94080  
Phone: (650) 225-1489  
Fax: (650) 952-9881

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